

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

October 15, 2009

MOTOR CARRIER MATTER

☐

DOCKET NO.

NDI-2008-4-A

UTILITIES MATTER

☒

ORDER NO.

**SUBJECT:**

NDI- 2008-4-A - Reciprocal Plant Operating Agreement between Kapstone Charleston Kraft, LLC and MeadWestvaco South Carolina, LLC Pursuant to S.C. Code Ann. § 58-3-240 - Discuss with the Commission a Pro Forma Merger of Cogen South, LLC into its Sole Member Kapstone Charleston Kraft, LLC.

**COMMISSION ACTION:**

Cogen South, LLC owns and operates a cogeneration facility that provides steam to Kapstone Charleston Kraft, LLC (KS-SC) under a Certificate granted by Commission Order No. 1996-433. Under the Pro Forma Merger of Cogen South, LLC into KS-SC, KS-SC will be the surviving entity. KS-SC, as the surviving entity after the Pro Forma Merger, must become the holder of the Certificate. Therefore, I move that the Certificate currently in the name of Cogen South, LLC be amended to be in the name of Kapstone Charleston Kraft, LLC.

PRESIDING: FlemingSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>
HOWARD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Annual Leave

(SEAL)

RECORDED BY: J. Schmieding